

CITY OF NANAIMO

BYLAW NO. 7242.01

A BYLAW TO AMEND THE PROPERTY MAINTENANCE AND STANDARDS BYLAW

WHEREAS, pursuant to the *Community Charter*, the City is authorized to regulate refuse, garbage or other material that is noxious, offensive or unwholesome; graffiti and unsightly conditions on property; the accumulation of water on property; growths that should be removed, cut down or timed; and unsanitary conditions on property;

AND WHEREAS pursuant to the *Community Charter*, Council to regulate for the protection and enhancement of the wellbeing of its community in relation to matters referred to in Section 64 (nuisances, disturbances and other objectionable situations);

THEREFORE BE IT RESOLVED that the Council of the City of Nanaimo in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. Title

This Bylaw may be cited as "PROPERTY MAINTENANCE AND STANDARDS AMENDMENT BYLAW 2021 NO. 7242.01"

2. Amendments

"PROPERTY MAINTENANCE AND STANDARDS BYLAW 2021 NO. 7242" is hereby amended as follows:

(1) By deleting the definition of Graffiti and replacing it with the following:

"Graffiti means: letters, symbols or markings made on any structure, building, thing or property without the authorization of the City of Nanaimo."

(2) By deleting section 4.5 and replacing it with the following:

"cause or permit graffiti to accumulate or remain on any fence, surface, or structure which is visible from an adjacent property or public place".

(3) By deleting section 9 and replacing it with the following:

"9. Violation and Penalty

1. Any Person who causes, permits or allows anything to be done in contravention or violation of this Bylaw, or who neglects or fails to do anything required to be done pursuant to this Bylaw, commits an offence against this Bylaw and is liable upon summary conviction to pay a fine of not more than \$50,000, plus the costs of prosecution,

and any other penalty or remedy available under the Community Charter and Offence Act.

- 2 This Bylaw may be enforced by bylaw notice pursuant to the Bylaw Notice Enforcement Bylaw 2012 No. 7159, as amended or replaced.
 - 3 Each day that an offence continues or exists shall constitute a separate offence.”
- (4) By deleting section 10 and renumbering the remaining sections of the bylaw.
- (5) By deleting Schedule A.

PASSED FIRST READING: 2021-JUN-21
PASSED SECOND READING: 2021-JUN-21
PASSED THIRD READING: 2021-JUN-21
THIRD READING RESCINDED: 2021-JUL-05
PASSED THIRD READING, AS AMENDED: 2021-JUL-05
ADOPTED:

MAYOR

CORPORATE OFFICER